

**AMENDMENTS TO CLAIMS**

1-4. (Canceled)

5. (Currently amended) A ~~recording~~ method, comprising:  
~~which determines~~ determining an optimum recording power value by performing test writing on a test zone of a recording medium; and  
~~records~~ recording information on the recording medium with the determined optimum recording power, wherein the recording medium is a multilayer recording medium having a plurality of recording layers within one recording surface; the test zone is formed on each recording layer; the test zones in different recording layers are positioned in a same recording surface area; and  
when information is to be recorded on a target recording layer that is second or further from a light source, information is recorded on the test zone which is in an upper recording layer closer to the light source than the target recording layer and is positioned in the same recording surface area as that of the test zone in the target recording layer before the test writing is performed on the test zone in the target recording layer; and  
wherein, after information is recorded on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, indicator information indicating a zone where said information recording has been performed is recorded in a count zone of the recording medium, and wherein the location of said count zone is different than the location of the zone where said information recording has been performed.

6. (Currently amended) The ~~recording~~ method as claimed in claim 5, wherein the information recording on the upper recording layer ~~closer to the light source than the target recording layer~~ is performed, before the test writing on the target recording layer, only on a portion, which portion is used to perform the test writing once, of the test zone in the upper recording layer; and the subsequent test writing for the target recording layer is performed on ~~another a portion, which other portion is positioned in a same recording surface area as that of said portion,~~ of the test zone in the target recording layer, and wherein the portion of the test

zone in the upper recording layer is positioned in a same recording surface area as the portion of the test zone in the target recording layer.

7. (Currently amended) The ~~recording~~ method as claimed in claim 5, wherein the information recording on the upper recording layer ~~closer to the light source than the target recording layer~~ is performed, before the test writing on the target recording layer, on an entire area of the test zone in the upper recording layer.

8-12. (Canceled)

13. (Currently amended) An apparatus which determines an optimum recording power value by performing test writing on a test zone of a recording medium, and which records information on the recording medium with the determined optimum recording power, wherein the recording medium is a multilayer recording medium having a plurality of recording layers within one recording surface and the test zone is formed on each recording layer, said apparatus comprising:

a preprocessing unit which, when recording information on a target recording layer that is second or further from a light source, records information on a portion, which portion is positioned in the same recording surface area as that of the test zone in the target recording layer, of an upper recording layer that is closer to the light source than the target recording layer; and

a test writing unit which, after the recording on the upper recording layer, performs the test writing on the test zone in the target recording layer;

~~The recording apparatus as claimed in claim 9,~~ wherein the preprocessing unit, in the information recording on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records information only on a portion, which portion is used to perform the test writing once, of the test zone in the upper recording layer; and the test writing unit performs the subsequent test writing for the target recording layer on another portion, which other portion is positioned in a same recording surface area as that of said portion, of the test zone in the target recording layer; and

wherein the preprocessing unit, after recording information on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records indicator information indicating a zone where said information has been recorded in a count zone of the recording medium, and wherein the location of said count zone is different than the location of the zone where said information has been recorded.

14. (Currently amended) The recording apparatus as claimed in claim 9; wherein the preprocessing unit, in the information recording on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records information on an entire area of the test zone in the upper recording layer.

15-19. (Canceled)

20. (Currently amended) A non-transitory computer-readable storage medium having a program embodied therein for causing a computer, which makes an apparatus determine an optimum recording power value by performing test writing on a test zone of a recording medium, and record information on the recording medium with the determined optimum recording power, wherein the recording medium is a multilayer recording medium having a plurality of recording layers within one recording surface and the test zone is formed on each recording layer, to function as:

a preprocessing unit which, when recording information on a target recording layer that is second or further from a light source, records information on a portion, which portion is positioned in the same recording surface area as that of the test zone in the target recording layer, of an upper recording layer that is closer to the light source than the target recording layer; and

a test writing unit which, after the recording on the upper recording layer, performs the test writing on the test zone in the target recording layer; and

~~The computer-readable storage medium having a program embodied therein as claimed in claim 16;~~ wherein the preprocessing unit, in the information recording on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records information only on a portion, which portion is used to

perform the test writing once, of the test zone in the upper recording layer; and the test writing unit performs the subsequent test writing for the target recording layer on another portion; which other portion is positioned in a same recording surface area as that of said portion, of the test zone in the target recording layer; and

wherein the preprocessing unit, after recording information on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records indicator information indicating a zone where said information has been recorded in a count zone of the recording medium, and wherein the location of said count zone is different than the location of the zone where said information has been recorded.

21. (Original) The computer-readable storage medium having a program embodied therein as claimed in claim 16, wherein the preprocessing unit, in the information recording on the upper recording layer closer to the light source than the target recording layer before the test writing on the target recording layer, records information on an entire area of the test zone in the upper recording layer.

22. (Canceled)